

### **Remarks**

Claims 1-18 are pending in this Application. In the Office Action mailed on the date of March 29, 2006, the Examiner reported the application as containing claims directed to patentably distinct species that include:

- Species 1 – figure 3
- Species 2 – figure 8
- Species 3 – figure 9
- Species 4 – figure 10
- Species 5 – figure 11
- Species 6 – figure 12

Applicants respectfully address the basis for the Examiner's request below.

### ***Restriction/Election***

On page 2 of the Office Action, the Examiner stated that patentably distinct species are independent or distinct containing patentably distinct elements requiring varying search strategies and considerations. Applicants are requested to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is held allowable. Applicants hereby provisionally elect Species 3, figure 9 with traverse for continued prosecution. Any claims cancellation will be made upon the filing of a divisional application.

Traversal is argued on the grounds that a thorough search of the subject matter of species as identified above would necessarily include a search of similar subject matter, because all species are drawn to a disc comprising a disc body with an articulating concave-convex surface. Given the unifying subject matter of all the independent claims, including the (materially) same composition and preparation, Applicants submit that any art identified within Species 3 would necessarily be similar to that identified for Species 1-2 and 4-6. Accordingly, Applicants submit

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that each species is not materially distinct each other. Because the species are not considered distinct for the reasons set forth above, examination of the claims directed to all species on the merits would impose no additional burden on the Patent Office. *See* MPEP 803.

In addition, Applicants respectfully submit amendments to Claims 1, 8, 16 and 18 as to matters of form and to correct minor informalities. Amendments introduce no new subject matter. Applicants respectfully request entry and allowance of such amendments as provided in the Listing of Claims beginning on page 2 of this paper.

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### **Conclusion**

In light of the remarks and arguments presented above, Applicants respectfully submit that the claims pending in this application are in condition for allowance. Favorable consideration for and allowance of the pending claims are therefore respectfully requested.

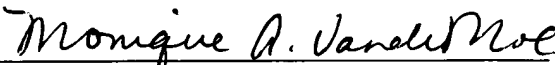
No fees are believed to be due with this Amendment. If this is incorrect, Applicants hereby authorize the Commissioner to charge such fees, other than the issue fee, that may be required by this paper to Deposit Account 07-0153.

Should the Examiner have any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below.

Dated: April 28, 2006

Respectfully submitted,

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